

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDDIE MOORE,

Plaintiff,

Case No. 1:07-CV-756

v.

Hon. Gordon J. Quist

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER AND JUDGMENT

APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on August 12, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed August 12, 2008, is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that: (1) Defendants Hillman and Beyers are **DISMISSED** for lack of service; (2) Defendant Wells' Motion For Dismissal Under Rule 12(B) Or Summary Judgment Under Rule 56(B) Based On Failure To Exhaust Administrative Remedies (docket no. 14) is **DENIED**; and (3) Plaintiff's Motion For Reconsideration (docket no. 17) is **DENIED**.

Dated: September 18, 2008

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE